

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Bare Body Laser Spa Inc.,

File No. 24-cv-2977 (ECT/SGE)

Plaintiff,

v.

John M. Billings and Lunabit Capital LLC,

Defendants,

**ORDER**

and

John M. Billings,

Counter Claimant,

v.

Bare Body Laser Spa Inc.,

Counter Defendant.

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Magistrate Judge Shannon G. Elkins issued a Report and Recommendation on May 6, 2025. ECF No. 103. No party has objected to that Report and Recommendation, and it is therefore reviewed for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all the files, records, and proceedings in this case, Plaintiff's First Amended Complaint [ECF No. 34] will be dismissed. To clarify, Defendant John M. Billings's counterclaims [ECF No.

89] are unaffected by this order and remain pending. Accordingly, **IT IS ORDERED THAT:**

1. The Report and Recommendation [ECF No. 103] is **ACCEPTED**; and
2. Plaintiff's First Amended Complaint [ECF No. 34] is **DISMISSED WITHOUT PREJUDICE.**

Dated: May 22, 2025

s/ Eric C. Tostrud

Eric C. Tostrud  
United States District Court